

## **EXHIBIT 1-4**

Malawi, the Argentine Republic, India, the Republic of Belarus, and the Russian Federation.

30. Upon information and belief, Defendant Bulgarian National Bank (hereinafter “BNB”) is the central bank of the Republic of Bulgaria responsible for, *inter alia*, issuing banknotes and coins, overseeing and regulating the banking sector (requires and holds private bank reserves for banks with credit issues), and keeping the Republic of Bulgaria reserves. It is the sole owner of the Bulgarian Mint and routinely transacts business in U.S. dollar currency, including, through the Society for Worldwide Interbank Financial Telecommunication (hereinafter “SWIFT”).
31. Upon information and belief, Defendant Stanislav Georgiev Lyutov (hereinafter “Lyutov” or “BNB Conservator”) is a citizen of Bulgaria, appointed by BNB as conservator over the BNB takeover of CCB.
32. Upon information and belief, Defendant Elena Zdravkova Kostadinchev (hereinafter “Kostadinchev” or “BNB Conservator”) is a citizen of Bulgaria, appointed by BNB as conservator over the BNB takeover of CCB.
33. Upon information and belief, Defendant Tabak Market, AD (hereinafter “Tabak Market”), is a corporation created in 2006 and organized under the laws of the Republic of Bulgaria, operating therein and in the Middle East, Republic of Turkey, EU, and is a wholly owned subsidiary of Bulgartabac Holding. It distributes primarily tobacco and tobacco products under the brand name Lafka in conjunction with Bulgartabac cigarette products in Bulgaria. Tabak Market obtained CCB loans to expand its infrastructure.
34. Upon information and belief, Defendant Cibole Services Incorporated Bulgaria, EOOD (hereinafter “Cibole”) is a corporation organized under the laws of the Republic of Bulgaria, operating therein and in the Middle East, the Republic of Turkey, EU, and the

Republic of Panama, and is a wholly owned subsidiary of Cibole Services Incorporated, a Panama-registered entity. Cibole was created in 2012 to participate in the privatization deal of the Bulgarian Government owned entity Technoexportstroy, AD, and to participate in Russia Federation Gazprom's southern pipeline project consortium sanctioned by the EU and the United States. Technoexportstroy, AD engaged in construction in 20 countries: Europe, Middle East, Africa, well as for international financial and investment institutions such as the World Bank and the Arab Fund. Technoexportstroy has branches and affiliated firms, and is operating in the Republic of Bulgaria, Federal Republic of Germany, Russian Federation, The State of Libya, Federal Republic of Nigeria, Kingdom of Morocco, Republic of Iraq, Republic of Zimbabwe, Republic of Yemen and Syrian Arab Republic. These deals were funded by a CCB bank loan.

35. Upon information and belief, Defendant Asteria BG, EOOD a/k/a Droslian Bulgaria EOOD (hereinafter "Droslian"), is a corporation created in 2013, organized under the laws of the Republic of Bulgaria, operating therein and in the Middle East, the Republic of Turkey, and the EU, and is a wholly owned subsidiary of Droslian Limited, a Belize-registered entity. Droslian Limited purchased 100 % of Baranco EOOD, which Bulgarian company is owner on 49% of Yurii Gagarin AD. This deal was a funding by a Droslian Bulgaria CCB bank loan.
36. Upon information and belief, Defendant Vili Vist, EAD, (hereinafter "Vili Vist") is a corporation created in 2013 and organized under the laws of the Republic of Bulgaria and controlled by MRF. It was established to buy the already privatized construction company Transstroy Burgas, AD which engages in the construction and renovation of ports, airports, railroads, roads, other transport infrastructure, reinforcing facilities, hydro technical and irrigation infrastructure, industrial and residential buildings, electrical supply, and pipeline



networks and to participate in Russia Federation Gazprom's southern pipeline project consortium sanctioned by the EU and the United States. These deals were funded by a CCB bank loan.

37. Upon information and belief, Defendant Promishleno Stroitelstvo Holding, EAD (hereinafter "Promishleno Stroitelstvo") is a corporation organized under the laws of the Republic of Bulgaria, created on 1952. Promishleno Stroitelstvo Holding provides industrial construction services. In 2011, based on a privatization deal with the Bulgarian Government, Promishleno Stroitelstvo was privatized by Vodstroi 98, AD, a Bulgarian company operating and controlled by MRF. In August 2013, Promishleno Stroitelstvo was the primary Bulgarian partner in the Russian Federation Gazprom's southern pipeline project consortium sanctioned by the EU and the United States. These deals were funded by a CCB bank loan.

38. Upon information and belief, Defendant The Bank of New York Mellon Corporation (hereinafter "Mellon Bank") is a bank organized under the laws of the United States and operating therein, incorporated in Delaware, domesticated in New York with its principal place of business in New York City, N.Y. Mellon Bank is a minority shareholder of FIB, Bulgartabac Holding, AD, and Commercial Corporate Bank, AD (hereinafter "CCB"), a Bulgarian bank.

39. Upon information and belief, Defendant Eaton Vance Structured Emerging Markets, Inc. (hereinafter "Eaton Vance") is a corporation organized under the laws of the United States and operating therein, with its principal place of business in Boston, Massachusetts and with operations in New York City, New York. Upon information and belief, Eaton Vance comes under the management of Eaton Vance Management in New York, New York. Eaton Vance is a minority shareholder of FIB, Bulgartabac Holding, and CCB.

40. Upon information and belief, Defendant The Bank for Foreign Trade of the Russian Federation (hereinafter “VTB”) is a Russian Federation investment bank organized under the laws thereunder and registered in St. Petersburg, Russia in 1990, operating therein and in the United States, Commonwealth of Independent States (hereinafter “CIS”), Middle East, Asia, Africa and the EU. VTB is a 10% shareholder in CCB.

### **FACTS RELEVANT TO ALL COUNTS**

41. The Ayr Silver Beach construction development project (hereinafter “SBP”) was to be a \$542,976,244 (€404,000,000) expansion of the town of Balchik, Bulgaria on the Black Sea with a new multi-use and multi-purpose 259-acre neighborhood consisting of 2480 mixed housing, retirement community, hospital, shopping mall complex, parking, waterfront fishing village, cultural center, amphitheater, marina, religious facilities, solar power park, water greenery complex, all utilities, including, water purification and sewer treatment. On or about September 2008, zoning had been approved as well as design and construction contracts executed.

42. Upon information and belief, in or about July 2007 Angelov, through his company, purchased the SBP land which was to become the SBP, thereby commencing the orchestrated mechanism which resulted in the fraudulent taking of approximately \$65,209,976 (97,500,000 BGN), the proceeds of the eventual sale of the SBP land (hereinafter “the Funds”). Angelov, through his company, procured two FIB construction loans in 2007 \$32,261,224(€24,320,000) and 2008 \$3,316,326(€2,500,000) collateralizing the SBP land.

43. Thereafter, Harris and Angelov entered into a contract on September 15, 2009, which provided in pertinent part that Angelov’s company would provide the licensing, in-country support, operational support, and marketing for the SBP, and that Ayr committed to provide



the financing as well as design, engineering, construction, and construction management of the SBP (See Exhibit A September 15, 2009 contract attached hereto and incorporated herein by reference).

44. The September 15, 2009, agreement further bound the parties to English as the operative language (See Article 3.4 of Exhibit A); and “to abide by the United States Law prohibiting the bribing, favor-giving, or any other financial inducement provided to a foreign government official or any other party for the purpose of obtaining business within the foreign nation.” (See Article 6 of Exhibit A).
45. On June 4, 2010, Ayr, APD and FIB enter into an agreement whereby Ayr assumed the two Angelov previously procured FIB SBP construction loans (See Exhibit B attached hereto and incorporated by reference herein).
46. Harris, Angelov and FIB, falsely, maliciously, and with intent to damage plaintiffs and disrupt plaintiffs’ benefit of the bargain, used the September 15, 2009 and the June 4, 2010 agreements as a basis to divert funds from the two pre-existing FIB loans in the SBP, for which the SBP land was collateral.
47. Harris and Angelov thus breached the terms of the September 15, 2009 and the June 4, 2010 agreements with the participation of FIB when they failed to invest the two pre-existing FIB SBP construction loans funds into the SBP and instead transferred said funds to Bank of Valletta in Malta to purchase Mexican bonds for their own economic gain. The recipient of the Malta transfer was Angelov’s company All Seas Management, a company registered in the Marshall Islands. Angelov and All Seas Management in collusion with Harriott then transferred the funds converting them to U.S. dollars to Grant Capital, a company registered in Malta, with offices in the United States and conducting business in the United States, of which Harriott was the director and knowing these funds were illicitly